

Active Waste Transport Co., Inc.
Specializing In Transporting & Handling Hazardous Materials & Wastes

Our New Address:
Route 35
Keyport, NJ 07735
(201) 290-0210

August 25, 1986

North American Reiss Corp.

Mt. Vernon Road

Englishtown, NJ 07726

Mr. David Anagnos Sr.

Dear Mr. Anagnos,

Below is an outline of the sequence of events in the initiation of paint sludge approval, the duration and problems incurred, the preparation of the material at Fondessey Enterprises in Ohio.

October 31, 1985- Examined waste sludge, took samples.

- Submitted waste profile sheet to Fondessey Enterprises in Oregon, Ohio, with material data sheets.
- No local facility would handle the sludge- Liquid Flammable only.

November 1985- After Thanksgiving, Fondessey's Mr. Daniel Zucarelli called me requesting more information is needed for approval. This required analysis to be performed by a certified testing laboratory.

December 2, 1985- Submitted sample of N.A. Reiss paint sludge to Townley labs Research and consulting, Inc. for ph, flash point, and total volatile solids.

December 23, 1985- Received results from Townly: I forwarded to Fondessey the results on same day to Mr. Douglas Gump at their Horsham, Pa. office.

January 15, 1985- Received word from Fondessey additional information was needed before Ohio EPA would allow this waste into Fondessey.

January 16, 1986- Phoned Mark Anderson of Townley, asked him if he had any retain of the sample submitted on Dec. 2, 1986. He did and ran the additional test requested.

January 27, 1986- Received results from Townley labs and Federal Expressed them to Don Zucarelli of Fondessey.

February 6 or 7, 1986- Received letter from Russell Creange of Envirosafe services, that the material was approved, and the PCN number and disposal contract would be sent out shortly; after they were received, the contract must be signed and received by Fondessey before an appointment at the landfill. Due to inclement weather, work to prepare drums for shipment and disposal was not completed until mid February. Also it took approximately two weeks to get the appointment at Fondessey, due to normal 5 to 10 days notice required for drum loads and the back log at the facility due to bad weather. First appointment was # 3468 2/25/86

February 24, 1986- Load picked up on 2/24/86 Manifest NJA-0153289 and delivered on 2/25/86. 37 drums of paint sludge.

The second load went out on 3/10/86, appointment # 3469 for 3/11/86.

The delay in moving these drums, was caused by the repeated requests from Fondessey and Ohio EPA for information, the inclement weather in N.J. and the back log in getting an appointment at Fondessey

Sincerely,



Duane R. James

JAN 05 1987.

William J. Friedman
Pitney, Hardin, Kipp & Szuch
163 Madison Avenue
CN 1945
Morristown, New Jersey 07960-1945

Re: In the Matter of North American Reiss Corporation
Docket No. II PCRA-86-0110

Dear Mr. Friedman:

Enclosed is a copy of the Consent Agreement and Consent Order in the above-referenced proceeding, signed by the Regional Administrator of the U.S. Environmental Protection Agency.

Upon your receipt of this Order, the thirty-day (30) period for payment of the civil penalty commences. Please arrange for payment of this penalty according to the instructions given in the Order.

Sincerely yours,

Miriam E. Villani
Assistant Regional Counsel
Waste and Toxic Substances Branch
Office of Regional Counsel

Enclosure

cc: Gerard Burke, Esq., NJDEP

bcc: Bob Small, (WH-527)
Laura Livingston, 2PM-PA
Thomas Solecki, AWH-SW ✓
Ronald Gherardi, 2 PM-FIN
Hon. Gerald Harwood, (A-110)
Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

-----X
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In the Matter of :
:
NORTH AMERICAN REISS CORPORATION: CONSFNT AGREEMENT
Englishtown, New Jersey 07726 : AND
NJD000317933 : CONSENT ORDER
:
Respondent : Docket No. II RCRA-86-0110
:
Proceeding Under Section 3008 of:
the Resource Conservation and :
Recovery Act. :
:
-----X

PRELIMINARY STATEMENT

This administrative proceeding was instituted by a Complaint, Compliance Order and Notice of Opportunity for Hearing alleging violations under Section 3008 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. ("RCRA" or "the Act").

Section 3006(b) of RCRA, 42 U.S.C. §6926(b), provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the federal program. The State of New Jersey received final authorization to administer its hazardous waste program on February 21, 1985. Section 3008 of RCRA, 42 U.S.C §6928, authorizes EPA to enforce the provisions of the authorized State program.

FINDINGS OF FACT

The Director of the Air and Waste Management Division of EPA, Region II, Complainant in this proceeding, issued a Complaint, Compliance Order, and Notice of Opportunity for Hearing to Respondent, on June 30, 1986. Said document alleged certain violations of the New Jersey Solid Waste Management Act, N.J.S.A 13:1E et seq., and the regulations promulgated thereunder, as follows:

1. Respondent owns and operates a facility located at Mount Vernon Road, Englishtown, New Jersey 07726. Respondent is a "person" as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. §6903(15), and in N.J.A.C. 7:26-1.4.

2. By notification dated May 11, 1981, Respondent informed EPA that it conducts activities at the facility involving "hazardous waste," as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. §6903(5), and N.J.A.C. 7:26-1.4.

3. On or about March 4, 1986, an inspection of the facility was conducted by a duly designated employee of EPA pursuant to Section 3007 of the Act, 42 U.S.C. §6927. Said inspection was conducted for the purpose of determining compliance with the New Jersey Hazardous Waste Management Regulations, N.J.A.C. 7:26-1 et seq.

4. The above referenced inspection revealed that Respondent's facility was being used for the generation and storage of hazardous waste. This determination was based on the inspector's

observation of approximately 24 55-gallon drums of hazardous waste that were on-site for periods exceeding 90 days. Respondent's facility is therefore a hazardous waste facility as that term is defined in N.J.A.C. 7:26-1.4.

5. Under N.J.A.C. 7:26-9.3(c), a generator that accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the permit requirements of N.J.A.C. 7:26-12.1 et seq.

6. Under N.J.A.C. 7:26-12.1(a), no person shall operate a hazardous waste facility without having submitted Part A and Part B of a permit application and without having received a finally effective permit issued pursuant to N.J.S.A. 13:1E.

7. A review of EPA's records indicates that the Respondent has not filed either Part A or Part B of a hazardous waste facility permit application for Respondent's facility. Based upon these facts, EPA has determined that Respondent was in violation of N.J.A.C. 7:26-12.1 et seq.

8. N.J.A.C. 7:26-9.4(d)(4), requires that hazardous waste containers be securely closed so as to prevent the escape of hazardous waste or its vapors. Furthermore, hazardous waste containers must be arranged so that their identification labels are visible. At the time of the inspection, approximately 37 containers were not securely closed, approximately 79 containers had no identification labels and 20 containers were not arranged so their identification labels were visible. Respondent was therefore in violation of N.J.A.C. 7:26-9.4(d)(4).

9. N.J.A.C. 7:26-9.7(b) requires each owner or operator to implement its contingency plan immediately whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. At the time of the inspection, it was observed that two hazardous waste spills were not cleaned up in a timely manner. Respondent was therefore in violation of N.J.A.C. 7:26-9.7(b).

On August 28, 1986, the parties met for an informal settlement conference. Respondent presented EPA with information evidencing its good faith efforts to come into compliance with the applicable regulations. Respondent's mitigating evidence supports a modification of the proposed penalty.

CONSENT AGREEMENT

Based upon the foregoing, and pursuant to Section 3008 of the Act, and Section 22.18 of the Consolidated Rules of Practices Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 C.F.R. §22.18, Respondent hereby agrees that it shall comply with all relevant regulations promulgated pursuant to the New Jersey Solid Waste Management Act, N.J.S.A. 13:1E et seq., and Section 3005 of the Act. In particular:

1. Respondent shall hereafter refrain from accumulating hazardous waste for more than 90 days and will otherwise comply with N.J.A.C. 7:26-12.1 et seq.

2. Respondent shall hereafter comply with N.J.A.C.
7:26-9.4(d)(4).

3. Respondent shall hereafter comply with N.J.A.C.
7:26-9.7(b).

Respondent shall pay, by cashier's or certified check, a civil penalty for the violations cited herein in the amount of nine thousand, one hundred fifty dollars (\$9,150.00), payable to the Treasurer of the United States of America, and mailed to: EPA - Region II (Regional Hearing Clerk) P.O. Box 360188M, Pittsburgh, Pennsylvania 15251. The payment shall be identified as In the Matter of North America Reiss Corp., Docket No. II RCRA-86-0110. Payment is due within thirty (30) days of receipt of the signed Consent Agreement and Consent Order (hereinafter "the effective date").

- a. Failure to pay the penalty in full according to the above provisions will result in referral of this matter to the United States Attorney for collection.
- b. Further, if payment is not received on or before the due date, interest will be assessed at the annual rate established by the Secretary of Treasury pursuant to 31 U.S.C. §3717, on the overdue amount from the effective date of this Consent Agreement and Consent Order through the date of payment. In addition, if a late payment is not received by the due date with an additional charge of \$10.00 for each subsequent 30 day period, a 6% per

annum penalty also will be applied on any principal amount not paid within 90 days of the due date.

This Consent Agreement is being entered into by the parties in full settlement of all liabilities which might have attached as a result of the proceedings. Respondent admits the jurisdictional allegations as they are set out in the first paragraph of the Complaint. Furthermore, Respondent has read the Agreement and neither admits nor denies any specific allegations of fact contained in the Complaint.

Respondent consents to the assessment of the civil penalty set forth in the Agreement and explicitly waives its right to request a hearing on the Complaint, this Agreement, or the attached Consent Order.

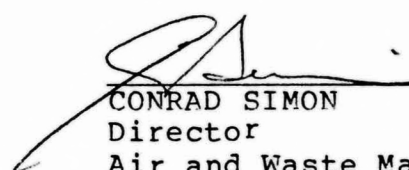
RESPONDENT:

BY:


NORTH AMERICAN REISS CORP.

DATE: 12-9-86

COMPLAINANT:



CONRAD SIMON
Director
Air and Waste Management
Division

DATE:

12/19/86

CONSENT ORDER

The Regional Administrator of EPA, Region II, concurs in the foregoing Consent Agreement. The Agreement entered into by the parties is hereby approved and issued, effective immediately.


CHRISTOPHER J. DAGGETT
Regional Administrator
U.S. Environmental Protection
Agency
Region II
26 Federal Plaza
New York, New York 10278

DATE: DECEMBER 31, 1986

December 3, 1986

U. S. Environmental Protection Agency
Hazardous Waste Compliance Branch
26 Federal Plaza
New York, New York 10278

Attention: Mr. Stanley Siegel, Acting Chief

RE: Letter of November 13, 1986
North American Reiss Corp.
NJD 000317933
Resource Conservation & Recovery Act (RCRA)
Warning letter June 30, 1986

Dear Mr. Siegel:

Our reply to comments, attached to subject letter, is as follows:

N.J.A.C. 7:26-9.4 (5) - Copy of daily inspection report check list per your suggestion is attached. This record is now in use on a daily basis.

N.J.A.C. 7:26-9.4 (g) (IV) - Training required per Section 9.4 (g) (3). Per our reply of 8/27/86, five people have been trained, specifically, in the handling and consolidation of solid and liquid hazardous waste. In addition, all of the people, eleven in number, listed in our contingency plan as Deputy Emergency Coordinators have had formal training conducted by Dave Reinhardt, Plant Manager, assisted by Dave Anagnos and Steve Sykes. The latter two have received approved training conducted by Lion Technology Inc. The others on the list are Managers and Foremen in various departments. All are experienced people with good knowledge of this facility and emergency procedures. This means that more than 5% of the people at this facility have been trained, and there are at least two trained people available on each shift. All of the subjects, where applicable, listed in 9.4 (g) (3), have been addressed in above training.

N.J.A.C. 7:26-9.6 (e) - Waste generation, and therefore, drums of waste in 90 day hold has been dramatically reduced. Currently, we have only 35 drums on site, and aisles required are maintained.

N.J.A.C. 7:26-9.6 (f) (1), 9.7 (i) (2) - Contingency Plan has been sent to Emergency Response Contractors on a regular basis.

N.J.A.C. 7:26-9.7 (e) - The following statement has been discussed with local fire officials, and added to Section 3 of contingency plan.

*12/3/86
Joel
Action*

*Tom - Is this
just? If
not ask
I am a
happ. who's
it is it the
refuge is
ok, let's
check out
case.
Joel*

Mr. Stanley Siegel
Page 2
December 3, 1986

"The on-site coordinator will be in charge in all types of emergencies except a fire emergency where fire department is actively involved in fighting a fire. In this case, Fire Chief will be in charge."

Should you have any questions concerning the above, please call Edwin Jesse at 201-446-6100.

Very truly yours,

A handwritten signature in cursive script, appearing to read 'Edwin Jesse', with a long horizontal flourish extending to the right.

E. L. Jesse
General Manager

ELJ/ag
Enclosure
Certified

North American Reiss

Kenkor Molding Division

ELJ-1429

1986 SEP -2 PM 2:10
AWM-SOLID WASTE BRANCH

August 27, 1986

Mr. Richard M. Walka
Chief, Solid Waste Branch
Air & Waste Management Division
26 Federal Plaza
New York, NY 10278

Re: EPA Identification Number NJD000317933

Dear Mr. Walka:

This is in answer to your letter of June 30, 1986 received here on July 7, 1986 to the attention of Mr. Theodore J. Reiss.

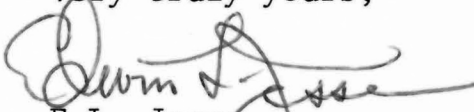
Listed below, with attachments, are corrective actions taken for each alleged violation:

- ✓ 7:26-9.4(d)(5) Prior to inspection the storage area here was inspected on a regular base by Plant Engineer as well as Plant Manager and General Manager. A daily log is now kept see (Mark A)
- ✓ 7:26-9.4(g)(5) Copy of certification for Dave Anagnos, Plant Engineer and Steve Sykes, Industrial Engineer, are attached. (Mark "B"). Note that both of the above were certified at the time of inspection. Other personnel have been trained by them. See 7:26-9.4(g)(6) through (IV)
- ✓ 7:26-9.4(g)(6)(I) Job titles attached with job descriptions (Mark "C")
- ✓ 7:26-9.4(g)(6)(II) Job titles attached with job descriptions (Mark "C")
- ✓ 7:26-9.4(g)(6)(III) Job titles attached with job descriptions (Mark "C")
- ✓ 7:26-9.4(g)(6)(IV) Memos to personnel files indicating training attached (Mark "D"). Note that people were trained in an informal manner prior to inspection.
- ✓ 7:26-9.6(e) At time of inspection drums were stored in an open area. All drums on end and visable from surrounding area. Aisle space as noted was corrected immediately and continues to be maintained.
- 7:26-9.6(f)(1) At the time of inspection we had informally acquainted police and fire departments with this facility. In addition fire dept. inspected same on a regular basis and Active Transport o. was our emergency response contractor. Letter to agencies attached (Mark "E")

EPA Identification Number continued

- OK 7:26-9.6(f)(2) Not applicable, we have one emergency number to call for Police, Fire and First Aid.
- OK 7:26-9.6(f)(3) Agreement was in contingency plan with Active Waste Transport Co. and we have since added Clean Venture Inc. as a back-up.
- OK 7:26-9.6(f)(4) Letter to agencies attached (Mark "E")
- ✓ 7:26-9.6(f)(5) Local fire dept. has inspected on a regular basis- Certificate of Compliance attached (Mark "F") Also letter to agencies attached (Mark "E")
- 7:26-9.7(e) At the time of inspection our Contingency plan did include telephone numbers for all of the agencies noted as well as information on when they were to be contacted. As noted above we had already met with fire department, police and emergency response contractor.
- 7:26-9.7(g) A contingency plan was published and in effect at time of inspection. Plan has since been updated and a copy is attached (Mark "G").
- 7:26-9.7(h) This is not applicable. Building is basically a large open area with few partition walls; escape routes are obvious from any point.
- 7:26-9.7(i)(2) Letter to agencies attached (Mark "E").

Very truly yours,


E.L. Jesse
General Manager

ELJ/se

JAN 05 1987

Side
NJD000317933

William J. Friedman
Pitney, Hardin, Kipp & Szuch
163 Madison Avenue
CN 1945
Morristown, New Jersey 07960-1945

Re: In the Matter of North American Reiss Corporation
Docket No. II RCRA-86-0110

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Sincerely yours,

Miriam E. Villani
Assistant Regional Counsel
Waste and Toxic Substances Branch
Office of Regional Counsel

Enclosure

cc: Gerard Burke, Esq., NJDEP

bcc: Bob Small, (WH-527)
Laura Livingston, 2PM-PA
Thomas Solecki, AWM-SW
Ronald Gherardi, 2 PM-FIN
Hon. Gerald Harwood, (A-110)
Regional Hearing Clerk

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

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In the Matter of :
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NORTH AMERICAN REISS CORPORATION: CONSENT AGREEMENT
Englishtown, New Jersey 07726 : AND
NJ0000317933 : CONSENT ORDER
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Respondent : Docket No. II RCRA-86-0110
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Proceeding Under Section 3008 of:
the Resource Conservation and :
Recovery Act. :
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2. By notification dated May 11, 1981, Respondent informed EPA that it conducts activities at the facility involving "hazardous waste," as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. §6903(5), and N.J.A.C. 7:26-1.4.

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4. The above referenced inspection revealed that Respondent's facility was being used for the generation and storage of hazardous waste. This determination was based on the inspector's

observation of approximately 24 55-gallon drums of hazardous waste that were on-site for periods exceeding 90 days. Respondent's facility is therefore a hazardous waste facility as that term is defined in N.J.A.C. 7:26-1.4.

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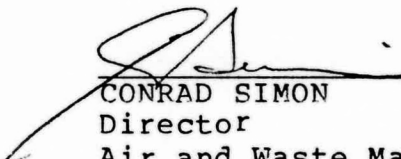
RESPONDENT:

BY:


NORTH AMERICAN REISS CORP.

DATE: 12-9-86

COMPLAINANT:

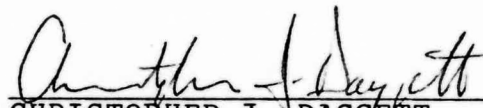

CONRAD SIMON
Director
Air and Waste Management
Division

DATE:

12/19/86

CONSENT ORDER

The Regional Administrator of EPA, Region II, concurs in the foregoing Consent Agreement. The Agreement entered into by the parties is hereby approved and issued, effective immediately.


CHRISTOPHER J. DAGGETT
Regional Administrator
U.S. Environmental Protection
Agency
Region II
26 Federal Plaza
New York, New York 10278

DATE: DECEMBER 31, 1986

ENVIRONMENTAL PROTECTION
AGENCY, REGION II
NEW YORK, N.Y.

ERMIT'S ADMINISTRATION
BRANCH

86 JUL - 7 PM 12:13

RECEIVED
JUL 11 1986

JUL 03 1986

1986 JUL 11
12:13

verify & file North Amer. Reiss

Mr. Theodore J. Reiss, President
North American Reiss Corporation
Mount Vernon Road
Englishtown, New Jersey 07726

NJD0000317933

Re: In the Matter of North American Reiss
Docket No. II RCRA-85-0102 (now 86-0110)

Dear Mr. Reiss:

On June 30th, 1986, the above-referenced Complaint was issued against North American Reiss Corporation. Due to a clerical error, an incorrect docket number was used to identify the Complaint. The correct docket number is RCRA-86-0110. This number should be included in all correspondence relating to this matter. Please excuse the inconvenience.

Sincerely yours,

Bruce R. Adler
Chief
Waste & Toxic Substances Branch
Office of Regional Counsel

cc: Gerard Burke, Office of Regulatory Services
New Jersey Department of Environmental Protection

John H. Skovlak, Assistant Chief, Compliance & Enforcement
New Jersey Department of Environmental Protection

Nereida Sotomayor, Regional Hearing Clerk

bcc: Tom Solecki, 2AWM-SW
Laura Livingston, 2PM-PA
Kenna Amos, 2AWM-SW
Miriam Villani, 2ORC-WTS
Bob Small, WH-527

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II

-----X
: In the Matter of : COMPLAINT, COMPLIANCE ORDER,
: : AND NOTICE OF OPPORTUNITY
: : FOR HEARING
: NORTH AMERICAN REISS CORPORATION :
: Englishtown, New Jersey 07726 :
: NJD000317933 :
: Respondent : Docket No. II RCRA-85-0102
: :
: Proceeding Under Section 3008 :
: of the Resource Conservation and :
: Recovery Act :
: :
: :
-----X

COMPLAINT

This administrative proceeding is instituted pursuant to Section 3008 of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6901 et seq. ("RCRA or the Act"). Section 3006(b) of RCRA, 42 U.S.C. §6926(b), provides that the Administrator of the U.S. Environmental Protection Agency ("EPA") may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the federal program. The State of New Jersey received final authorization to administer its hazardous waste program on February 21, 1985. Section 3008 of RCRA, 42 U.S.C. §6928, authorizes EPA to enforce the provisions of the authorized State program.

The Director of the Air and Waste Management Division of the EPA, Region II, Complainant in this proceeding, has determined that Respondent, NORTH AMERICAN REISS CORPORATION, has violated the New Jersey Solid Waste Management Act, N.J.S.A. 13.1E et seq., and the regulations promulgated thereunder, as hereinafter specified:

1. Respondent owns and operates a facility located at Mount Vernon Road, Englishtown, New Jersey 07726. Respondent is a "person" as that term is defined in Section 1004(15) of RCRA, 42 U.S.C. §6903(15), and in N.J.A.C. 7:26-1.4.

2. By notification dated May 11, 1981, Respondent informed EPA that it conducts activities at the facility involving "hazardous waste," as that term is defined in Section 1004(5) of RCRA, 42 U.S.C. §6903(5) and in N.J.A.C. 7:26-1.4.

3. On or about March 4, 1986, an inspection of the facility was conducted by a duly designated employee of EPA pursuant to Section 3007 of the Act, 42 U.S.C. §6927. Said inspection was conducted for the purpose of determining compliance with the New Jersey Hazardous Waste Management Regulations, N.J.A.C. 7:26-1 et seq.

4. The above referenced inspection revealed that Respondent's facility was being used for the generation and storage of hazardous waste. This determination was based on the inspector's observation of approximately 24 55-gallon drums of hazardous waste that were on-site for periods exceeding 90 days. Respondent's facility is therefore a hazardous waste facility as that term is defined in N.J.A.C. 7:26-1.4

5. Under N.J.A.C. 7:26-9.3(b), a generator that accumulates hazardous waste for more than 90 days is an operator of a storage facility and is subject to the permit requirements of N.J.A.C. 7:26-12.1 et seq.

6. Under N.J.A.C. 7:26-12.1(a), no person shall operate a hazardous waste facility without having submitted Part A and Part B of a permit application and without having received a finally effective permit issued pursuant to N.J.S.A. 13:1E.

7. A review of EPA's records indicates that the Respondent has not filed either Part A or Part B of a hazardous waste facility permit application for Respondent's facility. Based upon these facts, EPA has determined that Respondent is in violation of N.J.A.C. 7:26-9.3(b) and N.J.A.C. 7:26-12.1 et seq.

8. N.J.A.C. 7:26-9.4(d)(4), requires that hazardous waste containers be securely closed so as to prevent the escape of hazardous waste or its vapors. Furthermore, hazardous waste containers must be arranged so that their identification labels are visible. At the time of the inspection, approximately 37 containers were not securely closed, approximately 79 containers had no identification labels and 20 containers were not arranged so their identification labels were visible. Respondent was therefore in violation of N.J.A.C. 7:26-9.4(d)(4).

9. N.J.A.C. 7:26-9.7(b) requires each owner or operator to implement its contingency plan immediately whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment. At the time of the inspection, it was observed that two hazardous waste spills were not cleaned up in a timely manner. Respondent is therefore in violation of N.J.A.C. 7:26-9.7(b).

PROPOSED CIVIL PENALTY

In view of the violations cited above, and pursuant to the authority of Section 3008 of RCRA, Complainant herewith proposes the assessment of a civil penalty in the amount of \$15,250.00 against NORTH AMERICAN REISS CORPORATION, for the violations specified herein above as follows:

- For violation of N.J.A.C. 7:26-9.3(b) and \$ 6,500
N.J.A.C. 7:26-12.1 et seq.
 - For violation of N.J.A.C. 7:26-9.4(d)(4) 6,500
 - For violation of N.J.A.C. 7:26-9.7(b) 2,250
- \$15,250

COMPLIANCE ORDER

Based upon the foregoing, and pursuant to the authority of Section 3008 of RCRA, Complainant herewith issues the following Compliance Order against Respondent herein:

1. Within 30 calendar days of receipt of this order, arrange for the off-site disposal of all containers of hazardous waste that have been stored on-site for greater than 90 days, in accordance with the procedure set out in N.J.A.C. 7:26-7.4, and manage all future site generated hazardous waste containers, so as to comply with N.J.A.C. 7:26-9.3(b). Documentation of removal must be submitted to this Agency.
2. Immediately upon receipt of this Order, manage all containers on-site in accordance with N.J.A.C. 7:26-9.4(d). Arrange all containers so that their identification labels are visible. In addition, ensure that all containers which are not in use are covered by lids, properly fastened.
3. Immediately upon receipt of this order conduct remedial action to clean up the spills of hazardous waste and to dispose of the waste off-site in accordance with New Jersey hazardous waste regulations.

NOTICE OF LIABILITY FOR ADDITIONAL CIVIL PENALTIES

Pursuant to the terms of Section 3008(a) of RCRA, a violator failing to take corrective action within the time specified in a Final Compliance Order is liable for a civil penalty of up to \$25,000 for each day of continued non-compliance. Such continued noncompliance may result in suspension or revocation of any permits issued to the violator pursuant to the authority of RCRA.

NOTICE OF OPPORTUNITY TO REQUEST A HEARING

As provided in Section 3008(b) of RCRA, and in accordance with EPA's Consolidated Rules of Practices Covering the Administrative Assessment of Civil penalties and the Revocation or Suspension of Permits, 40 CFR Part 22, 45 Fed. Reg. 24363 (April 9, 1980) (a copy of which accompanies this Complaint, Compliance Order, and Notice of Opportunity for Hearing), you have the right to request a hearing to contest any material fact set out in the Complaint, or to contest the appropriateness of the proposed penalty, or the terms of the Compliance Order. (Consistent with the provisions of Section 3008(b) of RCRA, the hearing provided will be noticed and open to the general public, should you request such a public hearing. In the absence of such a specific request, however, public notice of a schedule hearing will not be published.)

To avoid being found in default, and having the proposed civil penalty assessed and the Compliance Order confirmed without further proceedings, you must file a written answer to the Complaint, which may include a request for a hearing. Your answer (if any) must be addressed to the Regional Hearing Clerk, 26 Federal Plaza, New York, New York 10278, and must be filed within thirty (30) days of your receipt of this Complaint, Compliance Order, and Notice of Opportunity for Hearing. Your answer must clearly and directly admit, deny or explain each of the factual allegations contained in the complaint, and should contain (1) a clear statement of the facts which constitute the grounds of your defense, and (2) a concise statement of the contentions which you intend to place in issue at the hearing.

INFORMAL SETTLEMENT CONFERENCE

Whether or not you request a hearing, the EPA encourages settlement of this proceeding consistent with the provisions of RCRA. At an informal conference with a representative of the Complainant you may comment on the charges and provide whatever additional information you feel is relevant to the disposition of this matter, including any actions you have taken to correct the violation, and any other special circumstances you care to raise. The Complainant has the authority to modify the amount of the proposed penalty, where appropriate, to reflect any settlement agreement reached with you in such conference, or to recommend that any or all of the charges be dismissed, if the circumstances so warrant. Your request for an informal conference and other questions that you may have regarding this Complaint, Compliance Order, and Notice of Opportunity for Hearing should be directed to Miriam E. Villani, Assistant Regional Counsel, Waste and Toxic Substances Branch, U.S. Environmental Protection Agency, Region II, 26 Federal Plaza, New York, New York 10278, telephone (212) 264-5687.

Please note that a request for an informal settlement conference does not extend the thirty (30) day period during which a written answer and request for a hearing must be submitted. The formal conference procedure may be pursued as an alternative to or simultaneously with the adjudicatory hearing procedure. However, no penalty reduction will be made simply because such a conference is held. Any settlement which may be reached as a result of such conference

will be embodied in a written Consent Agreement and Final Compliance Order to be issued by the Regional Administrator. Your signing of such Consent Agreement would constitute a waiver of your right to request a hearing on any matter stipulated to therein.

RESOLUTION OF THIS PROCEEDING WITHOUT HEARING OR CONFERENCE

Instead of filing an answer requesting a hearing or requesting an informal settlement conference, you may choose to comply with the terms of the Compliance Order, and to pay the proposed penalty. In that case, payment should be made by sending a check in the amount of the penalty specified in the "Proposed Civil Penalty" section of this instrument. Your check must be made payable to the treasurer of the United States of America.

DATED:

COMPLAINANT

CONRAD SIMON
Director
Air and Waste Management Division
Environmental Protection Agency
Region II

TO: Mr. Theodore J. Reiss, President
NORTH AMERICAN REISS CORPORATION
Mount Vernon Road
Englishtown, N.J. 07726

cc: Gerard Burke
Office of Regulatory Services
New Jersey Department of Environmental Protection

John H. Skoviak, Assistant Chief
Compliance & Enforcement, NJDEP

bcc: Tom Solecki, 2AWM-SW
Laura Livingston, 2PM-PA
C. Kenna Amos Jr. P.E., 2AWM-SW
Miriam Villani, 2ORC-WTS

REASONING BEHIND PROPOSED PENALTY

Pursuant to 40 CFR §22.14(a)(4) and (5), EPA is providing you this statement explaining the reasoning behind the proposed penalty assessed for each violation cited in this Complaint. Attached to this Complaint you will find the EPA Penalty Computation Worksheet ("worksheet") for each violation for which you have been assessed a proposed penalty. (Attachment 2)

RCRA Section 3008(a)(3) states that the seriousness of the violation must be taken into account in assessing penalties. The seriousness of a violation is based on the potential for harm and extent of deviation from a statutory or regulatory requirement, which provide the basis for determining the gravity-based penalty.

EPA is providing you with a copy of the Penalty Assessment Matrix from which the Matrix Cell Range was selected (Attachment 3) as well as the following explanation of each entry on the worksheet:

1. For the violation of N.J.A.C. 7:26-9.3(b) and N.J.A.C. 7:26-12.1 et seq.

- ° The "Potential for Harm" resulting from this violation was determined to be moderate because storing hazardous waste for more than 90 days without interim status or a permit has a significant effect on the regulatory purposes and procedures for implementing the RCRA program.
- ° The "Extent of Deviation" resulting from this violation was determined to be Moderate because the storage area contained twenty-four containers stored in excess of 90 days, a significant deviation from the requirements of the regulations.
- ° Based upon the above two determinations, the "Matrix Cell Range" indicated on the attached worksheet was entered.

The "Total Penalty Amount" of \$6,500.00 based on the above factors, was determined to be the appropriate penalty for Respondent's violation of N.J.A.C 7:26-9.3 and 7:26-12.1 et seq.

2. For the violation of N.J.A.C. 7:26-9.4(d)(4).

- ° The "Potential for Harm" resulting from this violation was determined to be Moderate because storing unlabeled and open containers poses a significant likelihood of exposure to hazardous waste and may have a significant adverse effect on the regulatory purposes or procedures for implementing the RCRA program.
- ° The "Extent of Deviation" present in this violation was determined to be Moderate because storing large numbers of open and unlabeled containers deviates significantly from the requirements of the regulations.

- ° Based on the above two determinations, the "Matrix Cell Range" indicated on the attached worksheet was entered.

The "Total Penalty Amount" of \$6,500.00 was determined to be the appropriate penalty for Respondent's violation of N.J.A.C. 7:26-9.4(d)(4).

3. For violation of N.J.A.C. 7:26-9.7(b).

- ° The "Potential for Harm" was determined to be Minor because of the fact that the two spills were small and on asphalt and this poses a low likelihood of exposure to hazardous waste.
- ° The "Extent of Deviation" was determined to be Major because failure to implement a contingency plan deviates from the requirements of the regulations to such an extent that there is substantial noncompliance.
- ° Based upon the above two determinations the "Matrix Cell Range" indicated on the attached worksheet was entered.

The "Total Penalty Amount" of \$2,250.00 was determined to be the appropriate penalty for Respondent's violations of N.J.A.C. 7:26-9.7(b).

ATTACHMENT II

PENALTY COMPUTATION WORKSHEET

Company Name: North American Reiss Corporation

Regulation Violated: N.J.A.C. 7:26-9.3(b) and N.J.A.C. 7:26-12.1 et seq.

Assessments for each violation should be determined on separate worksheets and totalled.

Part I - Seriousness of Violation Penalty

1. Potential for Harm:	<u>Moderate</u>
2. Extent of Deviation:	<u>Moderate</u>
3. Matrix Cell Range:	<u>\$5,000 - \$7,999</u>
Penalty Amount Chosen:	<u>\$6,500</u>
Justification for Penalty Amount Chosen:	<u>Midpoint of range.</u>
4. Per-Day Assessment:	<u>\$6,500</u>

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>** Reserved</u>	<u> </u>
2. Degree of willfulness and/or negligence:	<u>** Reserved</u>	<u> </u>
3. History of noncompliance:	<u>** Reserved</u>	<u> </u>
4. Other unique factors:	<u>** Reserved</u>	<u> </u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

ATTACHMENT II
PENALTY COMPUTATION WORKSHEET

Company Name: North American Reiss Corporation

Regulation Violated: N.J.A.C. 7:26-9.7(b)

Assessments for each violation should be determined on separate worksheets and totalled.

Part I - Seriousness of Violation Penalty

1. Potential for Harm:	<u>Minor</u>
2. Extent of Deviation:	<u>Major</u>
3. Matrix Cell Range:	<u>1,500 - \$2,999</u>
Penalty Amount Chosen:	<u>\$2, 250</u>
Justification for Penalty Amount Chosen:	<u>Midpoint of range</u>
4. Per-Day Assessment:	<u>\$2, 250.00</u>

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>** Reserved</u>	<u></u>
2. Degree of willfulness and/or negligence:	<u>** Reserved</u>	<u></u>
3. History of noncompliance:	<u>** Reserved</u>	<u></u>
4. Other unique factors:	<u>** Reserved</u>	<u></u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

6. Adjusted Per-Day Penalty (Line 4, Part I + Lines 1-4, Part II)	<u>\$6,500</u>
7. Number of Days of Violation:	<u>N/A</u>
8. Multi-day Penalty (Number of days x Line 6, Part II):	<u>N/A</u>
9. Economic Benefit of Noncompliance:	<u>N/A</u>
Justification:	
10. Total (Lines 8 & 9, Part II):	<u>\$6,500</u>
11. Ability to Pay Adjustment:	
Justification for Adjustment:	<u>N/A</u>
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	<u>\$6,500</u>
** Reserved assessments are not being levied at this time.	

ATTACHMENT II
PENALTY COMPUTATION WORKSHEET

Company Name: North American Reiss Corporation

Regulation Violated: N.J.A.C. 7:26-9.4(d)(4)

Assessments for each violation should be determined on separate worksheets and totalled.

Part I - Seriousness of Violation Penalty

1. Potential for Harm:	<u>Moderate</u>
2. Extent of Deviation:	<u>Moderate</u>
3. Matrix Cell Range:	<u>\$5,000 - \$7,999</u>
Penalty Amount Chosen:	<u>\$6,500</u>
Justification for Penalty Amount Chosen:	<u>Midpoint of Range</u>
4. Per-Day Assessment:	<u>\$6,500</u>

Part II - Penalty Adjustments

	<u>Percentage Change*</u>	<u>Dollar Amount</u>
1. Good faith efforts to comply/lack of good faith:	<u>** Reserved</u>	<u></u>
2. Degree of willfulness and/or negligence:	<u>** Reserved</u>	<u></u>
3. History of noncompliance:	<u>** Reserved</u>	<u></u>
4. Other unique factors:	<u>** Reserved</u>	<u></u>
5. Justification for Adjustments:		

* Percentage adjustments are applied to the dollar amount calculated on line 4, Part I.

6. Adjusted Per-Day Penalty (Line 4, Part I & Lines 1-4, Part II):	<u>\$6, 500</u>
7. Number of Days of Violation:	<u>N/A</u>
8. Multi-day Penalty (Number of days x Line 6, Part II):	<u>N/A</u>
9. Economic Benefit of Noncompliance:	<u>N/A</u>
Justification:	
10. Total (Lines 8 & 9, Part II):	<u>\$6,500</u>
11. Ability to Pay Adjustment:	
Justification for Adjustment:	<u>N/A</u>
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	<u>\$6, 500</u>
** Reserved assessments are not being levied at this time.	

6. Adjusted Per-Day Penalty (Line 4, Part I & Lines 1-4, Part II):	\$2,500
7. Number of Days of Violation:	N/A
8. Multi-day Penalty (Number of days x Line 6, Part II):	N/A
9. Economic Benefit of Noncompliance:	N/A
Justification:	
10. Total (Lines 8 & 9, Part II):	\$2,500
11. Ability to Pay Adjustment:	
Justification for Adjustment:	N/A
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	\$2,500
** Reserved assessments are not being levied at this time.	

Attachment 3

MATRIX

EXTENT OF DEVIATION FROM REQUIREMENT

P O T E N T I A L F O R H A R M		MAJOR	MODERATE	MINOR
	MAJOR	\$25,000 to 20,000	\$19,999 to 15,000	\$14,999 to 3,000
	MODERATE	\$10,999 to 8,000	\$7,999 to 5,000	\$4,999 to 3,000
	MINOR	\$2,999 to 1,500	\$1,499 to 500	\$499 to 100



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10278

JUN 30 1986

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Theodore J. Reiss
President
North American Reiss Corporation
Mount Vernon Road
Englishtown, New Jersey 07726

Dear Mr. Reiss:

The U.S. Environmental Protection Agency (EPA) is charged with the responsibility for implementing the Resource Conservation and Recovery Act ("RCRA or the Act"), as amended, 42 U.S.C. §6901 et seq. By notification, you informed EPA that you conduct activities at the above referenced facility involving "hazardous waste," as that term is defined in Section 1004(5) of the Act, 42 U.S.C. §6904(5), and in 40 CFR §261.

Section 3006(b) of the Act, 42 U.S.C. §6926(b), provides that the Administrator of EPA may, if certain criteria are met, authorize a State to operate a hazardous waste program in lieu of the federal program. The State of New Jersey received final authorization to administer its hazardous waste program on February 21, 1985.

Section 3008 of the Act, 42 U.S.C. §6928, authorizes EPA to enforce the provisions of the authorized State program.

In accordance with EPA's responsibility, an inspection was performed at this facility by a duly authorized representative of EPA pursuant to Section 3007 of the Act. This above referenced inspection revealed that your facility was acting as a hazardous waste generator and storage facility.

N.J.A.C. 7:26-7, 8 and 9.3 establish standards for generators of hazardous wastes. The inspection revealed that your facility was in violation of certain provisions of N.J.A.C. 7:26-7, 8 and 9.3. On the basis of these findings, the Solid Waste Branch Chief, Region II, has determined that your facility is operating in violation of the New Jersey Solid Waste Management Act (N.J.S.A.), 13:1E et seq., and the regulations promulgated thereunder.

Certain of these violations are of a relatively more serious nature and are addressed in the enclosed Complaint, Compliance Order and Notice of Opportunity for Hearing. All other violations noted in the March 4, 1986 inspection are addressed herein. The following paragraphs indicate the regulatory provisions that have been violated and are the basis for this notice.

N.J.A.C. 7:26-9.4(d)(5) requires the owner or operator to inspect areas where containers are stored, at least daily, looking for leaks and deterioration caused by corrosion or other factors. At the time of the inspection, no written documentation to substantiate the above cited violation was available. Respondent is therefore in violation of N.J.A.C. 7:26-9.4(d)(5).

N.J.A.C. 7:26-9.4(g)(5) requires facility personnel to take part in an annual review of initial hazardous waste management training. At the time of the inspection, with the exception of the plant engineer, no documentation could be provided to substantiate that this training had been given. Respondent is therefore in violation of N.J.A.C. 7:26-9.4(g)(5).

N.J.A.C. 7:26-9.4(g)(6)(i) requires written documentation of job titles for each position at the facility related to hazardous waste management, and the name of the employee filling each job. At the time of the inspection, with the exception of the plant engineer, such written documentation did not exist. Respondent is therefore in violation of N.J.A.C. 7:26-9.4(g)(6)(i).

N.J.A.C. 7:26-9.4(g)(6)(ii) requires a written job description for each position related to hazardous waste management. At the time of the inspection, with the exception of the plant engineer, no written job descriptions were available. Respondent is therefore in violation of N.J.A.C. 7:26-9.4(g)(6)(ii).

N.J.A.C. 7:26-9.4(g)(6)(iii) requires a written job description of the type and amount of both introductory and continuing training given to personnel in jobs related to hazardous waste management. At the time of the inspection, with the exception of the plant engineer, no such written description existed. Respondent is therefore in violation of N.J.A.C. 7:26-9.4(g)(6)(iii).

N.J.A.C. 7:26-9.4(g)(6)(iv) requires documentation of actual training or experience received by personnel required under paragraphs 9.4(a)1 through 5. At the time of the inspection, with the exception of the plant engineer, such documentation had not been prepared. Respondent is therefore in violation of N.J.A.C. 7:26-9.4(g)(6)(iv).

N.J.A.C. 7:26-9.6(e) requires the owner or operator to maintain aisle space to allow unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area unless aisle space is not needed for any these purposes. At the time of the inspection, one container was laying in the aisle and in another area, inadequate aisle space existed. Respondent is therefore in violation of N.J.A.C. 7:26-9.6(e).

N.J.A.C. 7:26-9.6(f)(1) requires the facility to familiarize police, fire department and emergency response teams with the layout of the facility and the hazardous waste handled. At the time of inspection, the facility had not familiarized police, fire departments and emergency response teams as required. Respondent is therefore in violation of N.J.A.C. 7:26-9.6(f)(1).

N.J.A.C. 7:26-9.6(f)(2) requires the facility, where more than one police and fire department might respond to an emergency, to have an agreement designating primary emergency authority to a specific police or fire department, and agreements with others to provide support to the primary emergency authority. At the time of the inspection, such agreements did not exist. Respondent is therefore in violation of N.J.A.C. 7:26-9.6(f)(2).

N.J.A.C. 7:26-9.6(f)(3) requires the facility to have agreements with emergency response contractors and equipment suppliers for the type of waste handled at the facility. At the time of the inspection no arrangements had been made with emergency response contractors and equipment suppliers. Respondent is therefore in violation of N.J.A.C. 7:26-9.6(f)(3).

N.J.A.C. 7:26-9.6(f)(4) requires the facility to make arrangements with local hospitals to familiarize them with the properties of hazardous waste handled at the facility and the types of injuries or illnesses which could result from fires, explosions or discharge at the facility. At the time of the inspection, no such arrangements had been made. Respondent is therefore in violation of N.J.A.C. 7:26-9.6(f)(4).

N.J.A.C. 7:26-9.6(f)(5) requires arrangements be made with local fire department to inspect the facility on a regular basis with inspections taking place at least twice each year. At the time of the inspection, no such arrangements had been made. Respondent is therefore in violation of N.J.A.C. 7:26-9.6(f)(5).

N.J.A.C. 7:26-9.7(e) requires the facility to have a contingency plan which describes arrangements agreed to by local police department, fire department, hospitals, contractors and state and local emergency response teams to coordinate emergency services. At the time of the inspection, the contingency plan did not include these required items. Respondent is therefore in violation of N.J.A.C. 7:26-9.7(e).

N.J.A.C. 7:26-9.7(g) requires the facility to have a contingency plan which includes a list of all emergency equipment at the facility such as fire extinguishing systems, spill control equipment, communication and alarm systems (internal and external), and decontamination equipment where this equipment is required. In addition, the plan must include the location and physical description of each item on the list, and a brief outline of its capabilities. At the time of the inspection, the contingency plan did not include these required items. Respondent is therefore in violation of N.J.A.C. 7:26-9.7(g).

N.J.A.C. 7:26-9.7(h) requires the facility to have a contingency plan which describes evacuation routes and alternate routes (in cases where the primary routes could be blocked by fire). At the time of the inspection, the contingency plan did not address these required items. Respondent is therefore in violation of N.J.A.C. 7:26-9.7(h).

N.J.A.C. 7:26-9.7(i)(2) requires the facility to submit copies of the contingency plan to local authorities (police, fire department and emergency response teams). At the time of the inspection, the contingency plan had not been submitted to local authorities. Respondent is therefore in violation of N.J.A.C. 7:26-9.7(i)(2).

Section 3008 of the Act authorizes the assessment of a civil penalty of up to \$25,000 per day for violations of statutory provisions or relevant regulations. The determination of whether a penalty is to be imposed is based upon the nature and seriousness of the violation and the good faith efforts to comply with the applicable requirements. It has been determined in this case that no penalty will be imposed for the violations cited above, if the facility corrects all violations cited herein as expeditiously as possible. Should the cited violations be discovered at this facility in the future, it is likely that an action for the assessment of a civil penalty will be initiated. Futhermore, please be advised that this letter in no way precludes future enforcement actions for any other violations discovered as a result of any other inspection.

Please confirm in writing, within 60 days of your receipt of this letter, that the above referenced violations have been corrected and include supporting documentation as appropriate. This confirmation should be addressed to:

Richard M. Walka
Chief, Solid Waste Branch
Air & Waste Management Division
26 Federal Plaza
New York, New York 10278

Also, please send a copy of this documentation to Richard A. Baker, Chief Permits Administration Branch, at the same address. You must include your EPA identification number on all correspondence.

Should you have any questions about this notice or should you wish to discuss this matter further, please contact Mr. Thomas Solecki of my staff, at 212/264-6144.

Sincerely yours,

Richard M. Walka, Chief
Solid Waste Branch

Enclosure

cc: John H. Skoviak, Assistant Chief
Compliance & Enforcement , NJDEP (w/o encl.)

Ronald Corcory, Chief
Bureau of Field Operations, NJDEP (w/encl.)

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF WASTE MANAGEMENT

Tom's First

INSPECTION REPORT

REPORT PREPARED FOR:

- ☒ Generator
☐ Transporter
☐ HWM (TSD) Facility

FACILITY INFORMATION

Name: NORTH AMERICAN REISS CORP.
Address: MOUNT VERMONT ROAD
ENGLISHTOWN, NJ 07726
Lot: _____ Block: _____
County: MONTGOMERY
Phone: 201-446-6100
EPA ID#: NJO 000317933
Date of Inspection: 3/4/85

PARTICIPATING PERSONNEL

State or EPA Personnel: TOM SOLECKI, USEPA
HERB MOL HOLLAND, USEPA
Facility Personnel: DAVID ANAGNOS, PLANT
ENGINEER

Report Prepared by Name: TOM SOLECKI
Region: II
Telephone#: 212-264-6144
Reviewed by: Cherrie Amis
Date of Review: 3.5.86

FACILITY NAME: NORTH AMERICAN REISS

ADDRESS: ENGLISH TOWN, N.J.

TIME IN: 9:30

COUNTY: MONMOUTH

TIME OUT: 12:30

EPA ID : NTD 000317933

DATE OF INSPECTION: 3/4/85

PHOTOS TAKEN ☐ YES ☒ NO

If yes, how many? _____

SAMPLE TAKEN ☐ YES ☒ NO

NO. OF SAMPLES _____

NJDEP ID # _____

MANIFESTS REVIEWED ☒ YES ☐ NO

Number of manifests in compliance 15

Number of manifests not in compliance 0

List manifest document numbers of those manifests not in compliance.

FROM: _____

SUBJECT: _____

CLASS	VIOLATIONS NOTED
9.3(a)3	APPROX 39 DRUMS WASTE NOT CLEARLY DATED.
9.3(a)4	APPROX. 24 " WASTE STORED OVER 90 DAYS.
9.4(d)1	1 DRUM LEAKING (35 RUSTED)
9.4(d)4	79 CONTAINER, NO LABELS; 2 30 CONTAINER UNABLE TO SEE LABEL DUE TO AISLE SPACE
9.4(d)5	NO INSPECTION OF CONTAINER STORAGE AREA
9.6(e)	INADEQUATE AISLE SPACE
	PERSONNEL TRAINING
9.4(g)5	NO ANNUAL REVIEW OF TRAINING
9.4(g)6-iv	JOB TITLE ETC.
9.4(g)7	TRAINING RECORD
9.4(g)8	SEMI ANNUAL DRILLS
9.6(f)-5	ARRANGEMENTS
9.7e-i	CONTINGENCY PLAN.

SUMMARY OF FINDINGS

FACILITY DESCRIPTION AND OPERATIONS

Facility manufactures plastic custom molding for the electronic industry (i.e. HP, Wang, AT&T). THESE MOLDING ARE MADE WITH the use of 4 presses. The molding are painted (Paint spray booths) which results in the generation of waste. (D001)

The presses are located above pits (approx 12' wide / 12' deep) in which A CONCRETE THESE PITS COLLECT OIL/WATER WHICH IS PUMPED OUT AND STORED IN A 275 AND 550 GALLON CONTAINER ON SITE. RECYCLED.

Describe the activities that result in the generation of hazardous waste.

PAINT SPRAY booths - poly-urethane and
spent solvents (0001)

Faulty Repairs informed inspector

1500 gal / 6 weeks liquid ~ 30 drums

60 drums / 6 months solids 2 times year

Identify the hazardous waste located on site, and estimate the approximate quantities of each.
(Identify Waste Codes)

1. 0001 - Liquids / Solids PAINT Sludges / Solvents

Liquids				Sludges				
OPEN	labeled	NO label	Full, 1/2	OPEN	Faded + Label	NO label	Full 1/2	
0	15 18	12 14	12 21	9	37	37	65	49 53

NOTES : 12 drums solid sludge faded labels.

STRONG ORGANIC odor from open drums

24 drums label ST. ACC. DATE 10/85

13 drum label START ACC. DATE 1/7/86 - 2/3/86

1 DRUM full liquid - TIPPED IN AISLE

1 DRUM Sludge LEAKING

35 DRUMS RUSTED

2. 50 empty paint cans

3. oil for recycling 275 gal / 550 gal CONTAINER.
8 DRUMS oil